

108TH CONGRESS  
1ST SESSION

# H. R. 1705

To expand and improve the use of DNA analysis in criminal investigations,  
and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 9, 2003

Mr. SCHIFF (for himself, Mr. FROST, and Ms. JACKSON-LEE of Texas) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To expand and improve the use of DNA analysis in criminal  
investigations, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “DNA Database En-  
5       hancement Act”.

6       **SEC. 2. INCLUSION OF DNA SAMPLES FROM ALL PERSONS**  
7       **CONVICTED OF VIOLENT FELONIES.**

8       Section 2(b) of the DNA Analysis Backlog Elimini-  
9       nation Act of 2000 (42 U.S.C. 14135(b)) is amended in  
10      paragraph (3) by inserting before the semicolon at the end

1 the following: “, provided that each violent felony under  
2 the law of that State shall be treated for purposes of this  
3 section as a qualifying State offense”.

4 **SEC. 3. AUTHORIZATION FOR STATES TO UPLOAD DNA**  
5 **SAMPLES COLLECTED IN A LAWFUL MANNER.**

6 Section 210304(a) of the Violent Crime Control and  
7 Law Enforcement Act of 1994 (42 U.S.C. 14132(a)) is  
8 amended—

9 (1) in paragraph (1), by inserting “arrested for  
10 or” before “convicted of crimes”;

11 (2) in paragraph (3), by striking “; and” at the  
12 end;

13 (3) in paragraph (4), by striking the period at  
14 the end and inserting “; and”; and

15 (4) by adding at the end the following new  
16 paragraph:

17 “(5) analyses of DNA samples from other per-  
18 sons, as authorized under the laws of the jurisdiction  
19 in which the samples were collected.”.

20 **SEC. 4. REQUIREMENT THAT LAW ENFORCEMENT OFFI-**  
21 **CERS BE ABLE TO COMPARE COLLECTED**  
22 **DNA SAMPLES WITH NATIONAL DATABASE.**

23 Section 2(b) of the DNA Analysis Backlog Elimini-  
24 nation Act of 2000 (42 U.S.C. 14135(b)), as amended by  
25 section 2, is further amended—

1 (1) by striking “and” at the end of paragraph  
2 (4);

3 (2) by striking the period at the end of para-  
4 graph (5) and inserting “; and”; and

5 (3) by adding at the end the following new  
6 paragraph:

7 “(6) include a certification that the State does  
8 not, by statute, rule, or regulation, prohibit or limit  
9 the comparison by a law enforcement officer of (A)  
10 the results of a DNA analysis carried out on a DNA  
11 sample lawfully obtained by such officer with (B) the  
12 information in such Combined DNA Index System.”.

13 **SEC. 5. REAUTHORIZATION OF DNA BACKLOG GRANT PRO-**  
14 **GRAM.**

15 Section 2(j) of the DNA Analysis Backlog Elimini-  
16 nation Act of 2000 (42 U.S.C. 14135(j)) is amended—

17 (1) in paragraph (1)—

18 (A) by striking “and” at the end of sub-  
19 paragraph (B);

20 (B) by striking the period at the end of  
21 subparagraph (C) and inserting “: and”; and

22 (C) by adding at the end the following:

23 “(D) such sums as many be necessary for  
24 fiscal years after fiscal year 2003.”; and

25 (2) in paragraph (2)—

1           (A) by striking “and” at the end of sub-  
2 paragraph (C);

3           (B) by striking the period at the end of  
4 subparagraph (D) and inserting “: and”; and

5           (C) by adding at the end the following:

6           “(E) such sums as may be necessary for  
7 fiscal years after fiscal year 2004.”.

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